Medical

AM SMITH'S

almic Panacea!

E UNFORTUNATE.

EDIES, NEW REMEDIES

Gibbon's Dispensary

Horrible Diseases

housands of persons both male and fe
o who are suffering under a severe
ffects of secret indulgence
the system. Look at the
ces and their sad consequences
ying them for the happy
ge of life. In this horrible
death closes the
and attend those who are suffering with
orrible life-destroying maladies—see that
ful and cured before it is too late. Send
ely to Doctor Gibbon a physician who has
diseases his special study for years and who
re the most inveterate cases whom other
ervous drugs. It is important to those
ed or to those who are ill to attend to the
r friends to be careful of the many pre
which infest all cities publish up their skill
diseases in a few days in pamphlet upon he
e the names of eminent physicians from
our place. Be therefore careful and make
or you may fall into the hands of those

Seminal Weakness

ptions the consequence of self-abuse. This
r depraved sexual indulgence is practiced
both sexes and is the
th unerring certainty the following train
ptoms unless combatted by scientific med
ry: Dullness, nervousness, weak eyes, indis
to the head ringing, nervous palpitation
heart and debility of back is under pass
s, weakness of the limbs, confused vision
ck, loss of confidence, diffidence in ap
proper address, fear of new acquaintances,
e shun society, loss of memory, hectic
s and various eruptions all on the face
flood breath coughs consumption might
ensue and if consult seasonably it is of the
most happily immediately either in person
ail by letter. A perfect cure is the result
ter to this disease which never fails if
ent and rigid course. Dr. G. will give One
re to any person who will prove that there
s a remedy of this complaint by either
-boss quacks

CURED AT HOME.

distance may be CURED AT HOME
y letter to Dr. Gibbon stating case, symp
ints the N. was has continued and have
plete directions for home
any part of the country with full and plain
, for Ten Dollars sent in registered let
Wells, Fargo & Co

ign to the Unfortunate

the San Francisco quacks and pretenders,
ns sworn-to certificates drop the unwary
ll-styled doctors whose names are in
ally and weekly newspapers. Such
ppers, are tradesmen and recognize on
d their
Beware
paper carriers, intelligence office keepers
r the San Francisco Directory and you
ade. Medical Institutes in which but one will
ser
in this
Look at the Directo
and 1868. The only way to avoid imposi
s equals, it will cost you nothing and
many regards, for no advertising physi
out of him are bogus; there is no
logue of them until you know who and
Dr. Gibbon does not deceive people by
ous fictitious certificates, prefer his patients
r Gibbon will satisfy persons who may
of his ability to treat diseases that he
ts.
J. F. GIBBON, 816 Kearney street cor
l, San Francisco. Post Office Box 262

TO WHOM IT MAY CONCERN.

ndersigned will please inform DR. GIBBON
his adver
ment in the *Daily Oregonian*
1y5daptf

COURT.—In the District Court of
d States for the District of Oregon. In
matter of M. O. Kellich, Bankrupt. Notice is
hereby given that a petition has been filed in said Court
by Kellich of the city of Portland, Multnomah County, Oregon, in said District, duly declaring
himself to be insolvent within the true intent and meaning of the Act of Congress of March 2d, 1867,
and praying for the benefit of said Act and that a certificate thereof may be granted to him discharging him from all his debts and liabilities provable under said Act and that the
same may be discharged accordingly. That a hearing of the matter of said petition will be had before
the Court, at the Court Room in Portland, in said District, on the 6th day of February, A. D. 1869, at 10 o'clock A. M., at which time and place creditors who have proved their debts and other persons in interest may appear and show cause if any they have why the prayer of said petition should not be granted. And notice is hereby given that the second and third meetings of the creditors named in the bankrupt's schedule will be held at the same time and place before said Register.
Witness my hand and the seal of said Court, at Portland, in said District, this 4th day of January, A. D. 1869.
[L. S.] R. WILKINS,
Clerk U. S. District Court for the District of Oregon.
1jan69d3w

GIVE NOTICE THAT ON THE 14TH
January, A. D. 1869 a warrant in bank
ruptcy was issued by the District Court of the United States for the District of Oregon within and for the State and District aforesaid, on the petition of Chas. Jacobsen, of Portland, in the county of Multnomah and State of Oregon, praying that he may be decreed to have a full discharge from all his debts and other claims provable under the Bankrupt Act of March 2d, 1867, and that the payment of any debts and the delivery of any property belonging to said Bankrupt to him or for his use and the transfer of any property by him are forbidden by law. And that a meeting of the creditors of said Bankrupt to prove their debts and choose one or more assignees of his estate will be held before Wm. H. Rigler, Register in Bankruptcy, at the office of Ladd & Tilton, in Portland, in said District, on the 6th day of February, A. D. 1869, at 10 o'clock A. M.
R. WILKINS, Clerk.
By J. MURPHY, Deputy.
1jan69d3w

GIVE NOTICE THAT IN THE MATTER
of the estate of Charles Jacobsen, bankrupt, in bankruptcy, at Portland, in the county of Multnomah and State of Oregon, the payment of any debts and the delivery of any property belonging to said bankrupt to him or for his use and the transfer of any property by him are forbidden by law. And that a meeting of the creditors of said bankrupt to prove their debts and choose one or more assignees of his estate will be held at a court of bankruptcy to be holden at the office of Ladd & Tilton, in Portland, in said District, before Wm. H. Rigler, Register, on the 6th day of February, A. D. 1869, at 10 o'clock A. M.
R. WILKINS, Clerk U. S. District Court for the District of Oregon.
By J. MURPHY, Deputy.
1jan69d3w

GIVE NOTICE THAT ON THE 14TH
January, A. D. 1869 a warrant in bankruptcy was issued by the District Court of the United States for the District of Oregon within and for the State and District aforesaid, on the petition of Chas. Jacobsen, of Portland, in the county of Multnomah and State of Oregon, praying that he may be decreed to have a full discharge from all his debts and other claims provable under the Bankrupt Act of March 2d, 1867, and that the payment of any debts and the delivery of any property belonging to said Bankrupt to him or for his use and the transfer of any property by him are forbidden by law. And that a meeting of the creditors of said Bankrupt to prove their debts and choose one or more assignees of his estate will be held before Wm. H. Rigler, Register in Bankruptcy, at the office of Ladd & Tilton, in Portland, in said District, on the 6th day of February, A. D. 1869, at 10 o'clock A. M.
R. WILKINS, Clerk U. S. District Court for the District of Oregon.
By J. MURPHY, Deputy.
1jan69d3w

Morning Oregonian.

VOL. VIII. PORTLAND, OREGON: MONDAY MORNING, JANUARY 25, 1869 NO 339

The Daily Oregonian.

HENRY L. PITTOCK, Proprietor

THE DAILY MORNING OREGONIAN is published every morning except Sunday, and delivered by carriers to subscribers in Portland at 37½ cents a week. Single copies 12½ cents. By Mail or Express to any part of the State, $10 per annum in advance; $5 for six months; $2 for three months.

THE WEEKLY OREGONIAN, containing a select portion of the best articles in the Daily, will be published every Saturday morning, and forwarded by Mail to any part of the State at $3 per annum, $2 for six months, and $1 for three months, in advance.

All papers discontinued at the end of the time for which they are paid. Subscribers should renew at least two weeks before the latter expires, and direct upon the address label.

AGENTS—No. 5 Washington street, one door from Front.

SAN FRANCISCO AGENT—I. P. FISHER, 639 Washington Street, San Francisco.

Business Cards.

DR. R. B. WILSON,
Office—No. 5 Stark Street,
(Up Stairs.)
Residence—North Fourth street,
Between Band O
dawtf

DR. H. M'KINNELL

I prefer to this MILD EFFICIENT MEDICAL TREATMENT can consult him at his Office, on Fourth street, fronting the Public Square.

Practice in Oregon enables him to treat one peculiar to the climate
Jan 10, 1864 dtf

DR. SLOAN,
HOMŒOPATHIST
OFFICE—123 First St., over Shidler & Co's Drug Store
ROOMS—5 to 9 A. M. 12 to 1 P. M., and 6 to 8 P. M.
aug11tf

DR. O. J. THIBODO,
(Graduate of Queen's College.)
Physician, Surgeon, &c.
Office & Residence—N. W. Cor. Oak and First Streets
d23dtf2p

J. E. CARDWELL,
Dentist
DENTAL ROOMS,
No. 89 First Street, Portland, Oregon
dtf

O. P. MASON,
Attorney-at-Law,
102 Front Street,
PORTLAND, OREGON dtf

HILL & MULKEY,
Attorneys-at-Law,
Front and Ash Streets,
PORTLAND OREGON tf

SHALLEY & CONINGER,
ATTORNEYS & COUNSELORS AT LAW,
And Solicitors in Bankruptcy.
OFFICE—No. 86 Front Street, Portland, Oregon.
Particular attention paid to collecti
dtf

J. B. UNDERWOOD,
ATTORNEY-AT-LAW,
EUGENE CITY OREGON

F. A. CHENOWETH,
Attorney-at-Law,
CORVALLIS, OREGON dtf

BAKER & LICHTENTHALER,
Attorneys-at-Law,
LaGRANDE, O. T.
WILL GIVE SPECIAL ATTENTION TO PRO
ceedings in Bankruptcy. Collections promptly
made and remitted.
GEO. H. BAKER. CHAS. W. PARRISH.

GIBBS & PARRISH,
ATTORNEYS AND COUNSELORS AT LAW,
PORTLAND, OREGON.
We have an Abstract of Land Titles in Portland and
give particular attention to Real Estate business
Offices in Holmes Building, First street.

E. F. RUSSELL,
ATTORNEY AND COUNSELOR AT LAW,
And Solicitor in Chancery,
ALBANY, OREGON
Will practice in all the Courts of Oregon. Special attention given to the REAL ESTATE AND COLLECTING
BUSINESS.
OFFICE—In Parrish's Block jo29dtf

JAMES L. DALY,
GENERAL AGENT,
166 Front Street, Portland, Oregon,
(Opposite the Franklin Book-Store.)
WILL GIVE SPECIAL ATTENTION TO THE
Collecting and Adjusting of Accounts, Bills and Notes, Negotiating Inland Bills, Effecting Loans, Selling Real Estate, Houses Rented, and to the
Agency business in all its branches. dp26dtf

H. P. DAVIES & CO.,
AUCTION AND COMMISSION
MERCHANTS,
No. 1 of Stone Building, Wharf St.,
VICTORIA, V. I.
All advertisements in the above papers

MRS. M. A. THOMPSON,
Eclectic, Accoucheur, and Galenic Physician,
CHRONIC DISEASES, SUCH AS PARALYSIS
Rheumatism, Glandular Enlargement, Deafness
Neuralgia, treated successfully.
Special attention given to Female Diseases. Examinations made by the
with a pleasant home for a limited number of
Calls will be attended to in any part of the city
Drugs for sale and instructions given upon the use
of Electricity as a Remedial Agent.
OFFICE AND RESIDENCE—NO. 93 THIRD STREET
Between the U. S. Church, Portland
Portland, June 12th, 1868 1tf

HERMAN & MURPHY
Corner of Washington and Third sts.,
Depot for
Oregon and California Produce,
FAMILY GROCERIES, of every description,
GAME,
FRUITS AND VEGETABLES,
of all kinds in season.
Orders delivered to any part of the city and orders
from a distance carefully filled and promptly dispatched.
The Highest Cash Price paid for COUNTRY PRODUCE
sep26dtf

P. G. STEWART,
(Late STEWART & GOURLEY)
Has opened at 109 Front Street,
PORTLAND OREGON
WATCHMAKER AND JEWELER
AND DEALER IN
Clocks, Watches and Jeweler's Goods
Agent for the AMERICAN WATCH COMPANY, also
for Wilcox & Gibbs Letter G
Sewing Machines.
jy24dawtf

J. M. KEELER,
OREGON AND N. W. COMMISSION
AGENCY,
96 LIBERTY ST., NEW YORK CITY
FOR BUYING AND SHIPPING DIRECT AND FOR
Storage and Sale. Liberal cash advances made on
Consignments respectfully solicited.
General Eastern Agent for
Commissioner for Oregon and
sp30dtf

Miscellaneous.

FRIEDMAN & CO.,
(Successors to A. M. & L. M. Starr)
IMPORTERS AND DEALERS IN
STOVES, FURNACES AND RANGES,
TIN PLATE,
SHEET IRON, GALVANIZED SHEET IRON, ZINC,
Bath Tubs, Pipe, Lead, Lead Pipe and Sheet Lead, Pig Tin, Block Tin, Britannia Metal, Solder, Spelter, Wire Cloth, Wire for Bird Fronts and Kant Fumith Fire Shovels and Tongs, Fenders and Fire Irons, Coal Hods and Scuttles, Copper Boilers, Copper Rivets and Burrs, Copper Bottoms, Hardware, Cutlery, Iron and Steel, Nails, Spikes, Horse Shoes, Horse Nails, Anvils, Vises, Bellows, Sledges, Hammers, Files, Rasps, Horse Rasps, Shoe Knives, Pincers, Pinchers, Hoof Parers, Rivet Sets, Punches, Chisels, Drills, Taps and Dies, Screw Plates, Stocks and Dies, Iron Planes, Saws, Hatchets, Axes, Adzes, Augers, Bits, Screw Drivers, Gimlets, Trowels, Brushes, Shovels, Spades, Scythes, Rakes, Forks, Hoes, Grass Hooks, Sickles, Whetstones, Grindstones, Rules, Squares, Levels, Compasses, Calipers, Dividers, Trammels, Steelyards, Scales and Weights, Locks, Latches, Bolts, Hinges, Screws, Chains, Rope, Oakum, Tar, Pitch, Oils, Paints, Glass, Putty, Powder, Shot, Lead, Caps, Fuse, Fishing Tackle, Guns, Pistols, Gun Materials, Gun Implements, Powder Flasks, Shot Pouches, Game Bags, Belts, Knives, Scissors, Razors, Razor Strops, Pocket Cutlery, Table Cutlery, Carving Knives and Forks, Steels, Tinners' Tools, Coppersmiths' Tools, Blacksmiths' Tools, Gunsmiths' Tools, Machinists' Tools, Carpenters' Tools, Shoemakers' Tools, Saddlers' Tools, Miners' Tools, Farmers' Tools, Mechanics' Tools, Tools, Plows, Reapers, Mowers, Threshers, and Agricultural Implements Generally.
No. 116 Corner Front and Morrison Sts.,
feb8 PORTLAND OREGON dtf

PORTLAND MACHINE WORKS!
Second St.—Bet. Alder and Morrison
PORTLAND, OREGON
H. GOULDING,
MANUFACTURER OF
Stationary & Steamboat Engines,
QUARTZ MILL AND MINING MACHINERY,
FLOUR MILL, SAW MILL AND AGRICULTURAL MACHINERY
Also a WATER WHEEL that will get more power out of a given amount of water than any other wheel in use. jo1tf

OREGON IRON WORKS,
South Front Street,
PORTLAND OREGON
HAVE FACILITIES FOR TURNING OUT FIRST class work equal to any establishment on the coast.
Engines & Boilers,
Flouring & Saw Mills,
Quartz Mills,
and all kinds of castings and machinery made to order.
H. BLOOMFIELD, T. J. CARTER
Superintendent President
Portland Jan 11 1868 dtf

CITY BAKERY
and
Provision Store.
R. PITTOCK,
NO. 9 NORTH FRONT STREET,
Opposite Lower Steamship Landing
and Corner First and Morrison Streets,
Who sells and Retail manufacturer of
BREAD,
Butter, Water, Sugar, Boston and Soda
CRACKERS,
PILOT BREAD, PIES, CAKES, &c., &c.
and all kinds of
STEAMBOAT AND SHIP STORES,
Family Groceries,
FEED FRUITS VEGETABLES &c., &c.
Bread and Stores delivered to any part of the City. Orders from a distance carefully filled and promptly dispatched.
The business hereafter will be conducted STRICTLY ON THE CASH PRINCIPLE.

GEO. T. CASEBOLT & CO,
IMPORTERS OF
Hard Wood Lumber,
ALL KINDS OF
CARRIAGE & WAGON MATERIALS,
COACH TRIMMINGS & COACH HARDWARE,
244 & 246 Battle St., near intersection, Pine & Market,
SAN FRANCISCO CAL

WE ARE CONSTANTLY RECEIVING NEW AD
ditions to our Stock, carefully selected to fit every Markets will be found at the LOWEST CASH RATES. myl4dtf

GODDARD & LAKE.
Nos. 114 and 116, Corner of Morrison and Second Streets,
PORTLAND OREGON
HAVING BOUGHT OUT & REFITTED
THE OLD BENNETT & WHITE
LIVERY, SALE AND FEED STABLE,
We are now prepared to receive all the old customers and as many more as may favor us with a call to our line of business and will give particular attention to FARMERS' STOCK.
We are satisfied that we can and will give entire satisfaction to our friends. Tiffany built
OUR LIVERY IS ALL NEW. BOTH CARRIAGES AND HORSES and would like to find
Coming out as an outfit as is established to meet the coast trade and the same in every
We will also be prepared to BUY ALL THE GOOD HORSES that come to this market at BETTER PRICES than any one else, as we have a connection below sound or to any other point on San Francisco. jy11dtf

GUSTAVE BONNARD,
WATCH-MAKING AND REPAIRING
SHOP,
No. 12 Alder St., Portland, Oregon.
PRICES:

For Cleaning and Repairing Watches	$1 50
For Repairing Clocks	1 00

ALL WORK GUARANTEED FOR ONE YEAR.
Having had twenty-five years experience in LONDON and PARIS, he feels confident that he can give entire satisfaction to all who may favor him with their patronage. All letters promptly attended to. Orders delivered to any part of the city free of charge. Call and see my stock before purchasing elsewhere.
d15 dtf

CHAS. HOPKINS,
(Successor to G. W. VAUGHN.)
DEALER IN
Hardware & Cutlery,
IRON AND STEEL,
Blacksmiths' Miners and Mechanics'
TOOLS, PLOWS,
REAPERS, MOWERS, THRESHERS,
AND AGRICULTURAL IMPLEMENTS GENERALLY.
No. 116 Corner Front and Morrison Sts.,
feb8 PORTLAND OREGON dtf

WILLAMETTE NURSERY!
Dewey Clackamas Co. O. T.
G. W. WALLING & CO., Proprietors
THE Proprietors of the Nursery call the attention of the public to their
Choice Fruit Trees,
which have the best reputation for vigor in the State. MULLEN BROS. Portland Wasco streets are our Agents in that city. ap1tf

SALES OF THE FLORENCE ON this Coast in 1867, exceeded by $16,000 those of any other Sewing Machine, as shown by the Sworn Statements of the Agents at the Internal Revenue Office. d17dawtm

Banking and Insurance.

FIRE AND MARINE INSURANCE.
UNION
Insurance Company
OF SAN FRANCISCO,
Nos. 416 and 418 CALIFORNIA ST.
STOCKHOLDERS INDIVIDUALLY LIABLE
CASH CAPITAL, $750,000.
DEPOSIT IN OREGON, $50,000
Losses Promptly and Equitably Adjusted and Paid in Gold Coin
THIS COMPANY having complied with the laws of the State of Oregon relative to Foreign Insurance Companies, is prepared to take risks against FIRE and MARINE DAMAGE by fire at the agency at MARINE AND INLAND NAVIGATION RISKS on liberal terms.
GUSTAVE TUCHARD President
CHARLES D. HAVEN Secretary
H. H. JOHNSTON
Agent for Oregon,
Office—No. 2 Holmes Block, Portland, Oregon
Portland Nov 1 1866 dtf

THE BANK
OF
BRITISH COLUMBIA
Incorporated by Royal Charter.
Paid up Capital $1,562,500
WITH POWER TO INCREASE TO
$10,000,000.
HEAD OFFICE—5 EAST INDIA AVENUE LEADEN HALL STREET LONDON
BRANCHES.
IN VANCOUVER ISLAND, BRITISH COLUMBIA, SAN FRANCISCO and PORTLAND
AGENCIES,
IN NEW YORK CANADA SCOTLAND & IRELAND
DRAFTS issued on all the Branches and Agencies; Approved Bills negotiated or collected. Interest allowed on Deposits.
EDWIN RUSSELL, Manager
Portland April 10 1867 dtf

LADD & TILTON,
BANKERS,
PORTLAND OREGON
WILL GIVE PROMPT ATTENTION TO COLLECtions and all other business appertaining to Banking.
SIGHT AND TELEGRAPHIC EXCHANGE
On San Francisco and the Atlantic States for sale. Government Securities bought and sold.

FIRST NATIONAL BANK
OF PORTLAND,
Depository of the United States,
No 73 Front Street (up-stairs),
SELL BOTH
COIN AND CURRENCY EXCHANGE
On San Francisco and the Atlantic States
DEPOSITS RECEIVED IN COIN AND CURRENCY. Interest allowed on Time Deposits of Coin.
LEGAL TENDER NOTES BOUGHT AND SOLD.
U. S. REVENUE STAMPS FOR SALE.
OFFICE HOURS—From 10 A. M. to 2 P. M.
nov13dtf

NORTH BRITISH AND MERCANTILE INSURANCE CO.,
OF LONDON AND EDINBURGH
ESTABLISHED ..... 1809.

CAPITAL	$16 000 000
Accumulated and invested funds Jan 1 1868 in gold	13 438 668
Annual income in gold	3 562,085
DEPOSIT IN OREGON according to law	$50,000
DEPOSIT IN NEVADA	$50 000
LIMIT ON SINGLE RISKS	$100,000

San Francisco Bankers: Messrs TALLANT & CO.
BRANCH OFFICE for the Pacific States and Territories: N. E. Corner Sansome and California Streets, San Francisco, California.
LOSSES PAID HERE IN GOLD COIN
WM. H. TILLINGHAST General Agent
CHAS. C. HARVEY Secretary
C. P. FERRY, Agent,
jo15dtf PORTLAND OREGON
3D WILES NEW STONER
WICKS & STONER,
SAMPLE ROOM,
Wholesale and Retail Dealers in
Foreign and Domestic
WINES, BRANDIES, WHISKIES, ETC.
No. 7 Washington Street,
PORTLAND o26dtf

STONER & NEAL,
(Successors to H. Hennell)
WHOLESALE AND RETAIL DEALERS IN
Groceries, Provisions,
PRODUCE, &c.,
First Street, bet. Morrison and Alder,
PORTLAND OREGON
Highest Market Price paid for Goods delivered free of charge. c24tf

Franklin Fish Market
135 FIRST STREET,
PORTLAND OREGON
A. FERRARA & BROTHER,
DEALERS IN GAME, FISH, GROCERIES, VEGETABLES, &c.
Goods delivered to any part of the city free of charge. Call and see us before purchasing elsewhere.
d15 dtf

A. H. JOHNSON.
WHOLESALE
Butcher and Packer.
SLAUGHTER HOUSE—One Mile West of Couch & Flanders's Wharf.
RESIDENCE—Corner Eighth and Simon streets.
ull1awtf

CALDWELL & CO.,
General Commission Merchants
AND DEALERS IN
Dairy Produce,
241 Clay Street, San Francisco
CONSIGNMENTS SOLICITED
1dec24

CARMEN ISLAND SALT
WARRANTED PURE.
ROCK COARSE GROUND DAIRY AND TABLE SALT always on hand and for sale in quantities to suit.
HOLLADAY & BRENHAM
jy3dtf 8 is Agents San Francisco

Notice.
I FORBID ALL PERSONS FROM HARBORING or trusting my wife SARAH F. THOMAS on my account, as I will pay no debts of her contracting from and after this date.
J. L. THOMAS
Portland, Jan 4 1869 d1mawlt

Steamers.

PEOPLE'S TRANSPORTATION CO.'S
NOTICE.
THE STEAMER
SENATOR AND ALERT
WILL LEAVE THE COMPANY'S DOCK PORTLAND DAILY FOR RECONNITY at 6½ o'clock A. M.
For Freight or Passage apply to
Captain on board the Steamer at dock.
EVERY MORNING (SUNDAYS EXCEPTED)
FOR SALEM,
ALBANY AND CORVALLIS,
MONDAY, WEDNESDAY and FRIDAY
For Dayton,
Lafayette, McMinnville, Harrisburg, and Eugene City
FREIGHT AND PASSAGE AT REDUCED RATES
Salem Dec 1 1868 dtf A. A. McCULLY, Pres't P. T. Co

OREGON STEAM NAVIGATION CO'S
NOTICE!
BOATS OF THE COMPANY WILL LEAVE PORTland as follows:
FOR DALLES—Daily (Sundays excepted) at 6 o'clock A. M.
FOR UMATILLA AND WALLULA—Monday, Wednesday and Friday at 6 o'clock A. M.
FOR ASTORIA—Monday and Friday at 6 o'clock A. M.
FOR MONTICELLO—Daily (Sundays excepted) Monday, Wednesday and Friday at 6 o'clock A. M. Tuesday, Thursday and Saturday at 6 o'clock A. M.
N. B.—BOATS FOR TRANSPORTATION OF STOCK in readiness when business offers.
J. C. AINSWORTH,
mh28dtf Pres't O. S. N. Co.

WILLAMETTE STEAMBOAT CO.'S
NOTICE.
THE STEAMER
"SUCCESS,"
LEAVES CANEMAH FOR ALBANY ON MONDAYS and THURSDAYS.
The Steamer Ann
Connects with the Success, at Albany for EUGENE CITY AND ALL INTERMEDIATE POINTS.
For Freight or Passage apply to
J. H. SMITH,
d15dtf At the American Express Wharf

Hotels and Restaurants.

WHAT-CHEER HOUSE,
Nos. 126, 128, and 130, Front Street,
PORTLAND OREGON
Reduced Rates!
THE UNDERSIGNED HAVING TAKEN THIS well known House, solicits increased patronage from the traveling public.
The House has lately been refitted and they are now able to offer additional inducements to their patrons.
The Table will be furnished with the best the market affords, and is under the immediate supervision of the proprietors. Rooms well furnished and well ventilated. A large fire-proof safe for the deposit of valuables. Baggage taken to the Hotel free of charge.
BOARD, per week $5 00
BOARD and LODGING, per week $6 to $ 00
Nothing will be left undone which lies in the power of the proprietors to do, to render guests comfortable.
feb16tf LYONS, LEONARD & CO.

Cosmopolitan Hotel.
(Formerly Arcignis)
PORTLAND, OREGON
THE UNDERSIGNED RESPECTFULLY AN nounces that having purchased this widely known and well kept Hotel they are now prepared to offer to the patronage and solicitation of the traveling public.
Greatly Reduced Prices.
This Hotel is located nearest the steamboat landings. The Hotel coach will be in attendance to convey passengers to and from the house free of charge.
W. R. SEWALL,
d7dtf GEO. B. COOK, Proprietors.

NEW COLUMBIAN HOTEL!
Nos. 118, 120 and 122 Front Street
PORTLAND OREGON
B. CARNEY Proprietor
THE LARGEST, BEST AND MOST CONVENIENT Hotel in Portland. Located in the center of business and near all the Steamboat Landings.
AT REDUCED RATES! Board and Lodging per day from $1 00, to $2 according to the room occupied.
Rooms newly furnished and well ventilated. Superior accommodations for families.
The COLUMBIAN COACH will be in attendance at all the landings to convey passengers and baggage to and from this Hotel *free of Charge*. jy16dtf

WESTERN HOTEL.
PORTLAND, OREGON,
DORCY & HOLMES,
PROPRIETORS
THIS HOTEL is located near the Steamship Landing. The Hotel coach will be at the landings to convey Passengers and Baggage to and from the House FREE OF CHARGE. ul1dtf

EMPIRE HOTEL,
Dalles City.
THE UNDERSIGNED RESPECTFULLY INFORMS the traveling public that he has taken and refitted the above Hotel and is now completed to offer the flattering inducement that he can offer superior indoor comforts to those who favor him with their patronage. No efforts will be spared to render guests comfortable.
jy31dtf THOS. SMITH.

Salem Restaurant!
COMMERCIAL STREET,
(Opposite the State House)
Salem, Oregon.
CHARLES DICKINSON
HAVING THOROUGHLY RENOVATED THIS House and having Lodging rooms well supplied to accommodate Boarders, I am well prepared to furnish Lodging as well as the best of Meals at the lowest rates. Assuring them that my rates will be found low enough to suit the times, I solicit a share of the traveling patronage.
d15dtf

AMERICAN EXCHANGE!
(LATE LINCOLN HOUSE)
Corner Washington and Front Streets,
PORTLAND OREGON
L. P. W. QUIMBY,
HAVING taken the above House, situated so near the public market, it is now prepared to accommodate guests in a satisfactory manner. Nothing will be left undone which lies in the power of the proprietor to do to render guests comfortable.
FREE COACH TO AND FROM THE HOUSE.
1 ribar 1 y 2 1867 dtf

COLONIAL HOTEL AND RESTAURANT,
Over the Post Office,
VICTORIA V. I. B. C.
Board can be found at all times with the comforts of Travelers.
Private Dining Rooms for Ladies and Families.
ol1dtf H. DRIARD, Proprietor

OPINION OF JUDGE DEADY

Overruling the motion for new trial and arrest of judgment in Randall case. Sentence of the defendant.

U. S. District Court—District of Oregon. Jan 21 1869.

The United States vs. P. F. Randall. Motion for judgment, and sterling motion for new trial thereon.

The indictment in this case was found under Section 5 of the act of July 14, 1862, in this court, November Term, 1868, and charges that the defendant, on the 1st day of August, 1868, at Auburn, in Baker county, Oregon, being employed in the post office at Auburn, aforesaid, as a clerk, and having charge of the registered letters and packages, did unlawfully steal, take and purloin from a certain registered letter, then in the mail, and in the possession of the defendant, while in the post office at Auburn, aforesaid, and before the same had been delivered to the person to whom it was addressed, a certain package, the property of the United States, and of the value of $10 000, with intent to steal the same.

The defendant demurred to the indictment, and moved in arrest of judgment, for the reason that the facts stated therein do not constitute a crime, in this—that gold dust is not mailable matter.

Both motions were submitted by the defendant's counsel with an appeal for delay in their consideration of them, to give counsel an opportunity to examine the subject and also to give time to the defendant to obtain further testimony on his behalf.

The application for delay was taken under advisement by the Court until Saturday, January 16. On the last mentioned day the applicant for delay was refused by the Court, and thereupon the motions for new trial and in arrest of judgment were argued by counsel. The Court took until Saturday, January 23, to consider the matter.

Before proceeding to consider the motions made by defendant, I deem it proper to state briefly the reasons for refusing the application for delay on last Saturday.

A Court will not delay judgment indefinitely in any case, merely to give the defendant time to discover or rather to try to discover new evidence on which to ask a new trial. Such an arbitrary exercise of power, it appears to me, would be an abuse of judicial discretion and unfit a man for administration of justice. The defendant has not been hurried into this trial against his will, and without due preparation. On the contrary he has chosen his own time. The second trial was set for January 4, in the same term as the first, against the remonstrance of the U. S. Attorney, who insisted that the case should go over to the March term according to the usual practice of the Court. At the same time if there were any questions of law arising upon either of these trials affecting the rights of the defendant about which there was any reasonable doubt, it would be prejudicial to the administration of justice to require the case to be carried into the Circuit Court to await the presence there of the Justice of the Supreme Court assigned to this circuit. To the meantime, if no defendant from any source could suffer such hardship as this imprisonment might have the benefit of this view on the hearing of his motion for a new trial.

While viewing the indictment in the light most favorable for the defendant, I am of opinion that the questions of law raised by the motions were carefully examined and considered. In my judgment there is no room for any reasonable argument or doubt. Therefore the application for delay was refused.

The motions must now be disposed of. The first ground of the motion in arrest of judgment is, the question: Is the verdict contrary to the law? The testimony in the case may be summarized as follows:

That on the 3d of August, 1868, one Thomas Smith, postmaster at Auburn, Oregon, mailed a registered letter addressed to the plaintiff, Judge Deady, at Portland, Oregon, which contained the sum of $10 000 in gold dust. That said letter was received by the defendant, who was then and there unlawfully employed in the post office at Auburn, aforesaid, as a clerk, and while in the possession of the defendant, and before the same had been delivered to the person to whom it was addressed, the defendant took from said letter and purloined and stole therefrom the package containing said gold dust, and converted the same to his own use, with the intent to steal the same. That the defendant at the time he committed the offence was employed in the post office at Auburn, aforesaid, as a clerk, and had charge of the registered letters and packages. That the defendant was arrested upon a bench warrant and gave bail in the sum of $10 000 with two sureties. On November 11 the defendant by his counsel demurred to the indictment and for causes of demurrer specified:

1. That gold dust is not mailable matter, and the taking the same is not an offence against the laws of the United States; and

2. That the indictment contains two offences which are separate and distinct—namely, opening a letter and taking from the same an article of value.

After a cursory examination of the subject the demurrer was overruled with the understanding that the first question made by it could be made in arrest of judgment if necessary. The second question made by the demurrer was abandoned on the argument and not particularly mentioned or considered in the disposition of it.

Thereupon the defendant pleaded not guilty to the indictment. On Monday, November 23, a jury was formed in the case and heard it until the following Wednesday, when the case was given them in charge, and on the day following the jury returned into court and gave their verdict that the defendant was guilty as charged in the indictment, and also recommended him to the mercy of the Court. Thereupon on motion of the United States it was ordered that the defendant give bail in sufficient sureties in the sum of $15 000 and that in default thereof he be committed to the custody of the Marshal. The case was then continued until the Wednesday following on account of the absence of a material witness.

On Wednesday, January 6, a jury was formed in the case, and heard it until the following Friday, when the case was given them in charge, and on the day following the jury returned into court and gave their verdict that the defendant was guilty as charged in the indictment, and also recommended him to the mercy of the Court. Thereupon on motion of the United States it was ordered that the defendant give bail in sufficient sureties in the sum of $15 000 and that in default thereof he be committed to the custody of the Marshal. And the defendant gave bail accordingly. On motion of the defendant it was ordered that he be allowed until Monday, January 11, to enter a motion for a new trial and in arrest of judgment or either of them.

On the last mentioned date the defendant filed a motion for a new trial for the reasons and causes following:

1. That the evidence is insufficient to justify the verdict.

2. That the verdict is against law.

3. Error of law occurring at the trial and excepted to by the defendant—namely:

I. Refusing to allow defendant a peremptory challenge to Charles Sweigle, a juror.

II. Refusing to admit the letter marked No. 3 from one Koontz at Umatilla, Oregon, dated October 1, 1868, in evidence.

And also a motion in arrest of judgment—

Because the facts stated in the indictment do not constitute a crime, in this—that gold dust is not mailable matter.

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The Daily Oregonian.

MONDAY MORNING JAN 1869

The United States vs E G Randall

This

Another Democratic Organization

It appears that a Ku Klux Klan has been organized in this city in the interest of the laborers movement It seems to be a branch of the parent organization at Oregon City But the Portland branch is more intrepid and outspoken than the parent organization, inasmuch as it avows its principles openly and publishes all its letters in the Oregonian Judgment given on the publication of the name of any

Practical Application of Johnson's Principles

It has been shrewdly proposed to pay the remainder of Andrew Johnson's salary in his own plan for paying the national debt Pay what shall hereafter be due him in the bonds paid with a Treasury bond due in seventeen years bearing interest and at the end of the seventeen years let him be informed that he has already received his money in the shape of rent rest, and that he shall have no more It is substantially the acting President's plan for paying the national debt Every dollar of the principal of the bonds will be paid once an Alderman were as useless It pays this way the Rebels will help to pay the debt they fought against Johnson's plan of paying the national debt is just as much a swindle as Johnson's plan of paying the national debt is just as much a swindle as Johnson's plan of paying the national debt is just as much a swindle as

...sion and Commission

...B. RICHARDSON,
...CTIONEER
...r of Front and Oak Streets

...UCTION SALES
...STATE, GENERAL
...CHANDISE AND HORSES

...ye—Wednesday and Saturday

A. B. CHARLTON, Auctioneer

...t Private Sale

...H REFINED BAR 6 IRON TIE ROD
...SQUARE AND FLAT CAST STEEL
...SHOES, PILE RODS, SAWS
...FRY PANS, SHEET IRON & G IRON

...ALES
...e assortment of GROCERIES & LIQUORS
A. B. RICHARDS, Auctioneer

...r and Peremptory Sales

...eries, Furniture,
...neral Merchandise &c

...ESDAY JANUARY 30 1869,
At 10 o'clock A M
...ill sell at my Auction Sales Room

...E FRAME BUILDING SITUATED ON
...STREET BET FRONT AND FIRST
..., KNOWN AS THE ICE HOUSE

ALSO

...mats JAVA COFFEE
...bags RIO

ALSO

...Boxes CANDLES
C. O. BOAL

ALSO

...k, fine Chinese JAPAN TEA
...YOUNG HYSON

ALSO

...bbls DRIED APPLES
DRIED PEACHES

ALSO

...RNITURE

...AK RICHARDSON, Auctioneer

...E W. A. DALY

...OLEMAN & DALY,
...STATE, INTELLIGENCE AND
...TING AGENTS, ACCOUNTANTS, ETC
No. 13 Alder street

...CHANCE FOR INVESTMENT!

...ots for the Million!

...K 7, in Block 9 Carruthers Addition
...4, BLK 6 in Block 4
...Wood's Addition
...86, Couch's Addition
...5, 6, 7, 8, in Block 60 Couch's Add
...6, 7, 8, in Block 60 Couch's Add
...2, in Block B, Carruthers Addition
...3, 4, 5, 6, in Block 48, in Couch's Addition
...17, in Block Y
...LUABLE FARMS in Washington County
...-50 ACRE DRAYING BUSINESS
...Lot 2
...A VEHICLE STAND—price $600
COLEMAN & DALY,
Real Estate, Insurance and Collecting Agents
No. 13 ALDER STREET, PORTLAND

...Most Successful Book

...by the War, written from a Southern
...

...T STARVING'
...the City of the
...BETWEEN THE STATES,

...Just out
...sale in the
...BOOKSTORE

...to $60 a Day.

...manufactured to obtain
...ive and ready sale, combined
...ts one of the best
...both North and South have not
...duction

...T ONLY BY SUBSCRIPTION.

...ve yet to be had of

...E. DEWITT & CO.,
...San Francisco,
...AL AGENTS FOR PACIFIC COAST

...PIONEER
...NE SEWING FACTORY
...AND
...SEWING ESTABLISHMENT.

...ESTABLISHED 1853.

...NE for SALE OR HIRE on HAND and MADE
...MACHINE REPAIRING &c
...RK GUARANTEED AS REPRESENTED

...Folk, corner of Alder
...ets or Main Landing

J. W. COOK,
CENTRAL BLOCK.
...ner A STREET,
...Rides O S N Co.'s Buildings

...HAND AND FOR SALE!

...200 GILROY'S BEST BURLAP
GRAIN BAGS;

...OUR SACKS,
...ICK, FOR WAGON COVERS TENTS &c
...N SEWING TWINE
...RIVETS MANILLA ROPE
...ILLING, JUTE GOODS &c
J. W. COOK
...dtf

...CHLOCK & CO.,

...50 FIRST St., Portland,
...AND RETAIL DEALERS IN

...LEAY HARDWARE.
...T DEPOT!

...Trade
...SINGLE BUGGY HARNESS,
EXPRESS AND DRAY HARNESS
MULE HARNESS,
TEAM COLLARS

...Concord Stage Harness!

...LEATHER SKIRTING,
...AND UNDRESSED LEATHER,
...CALIFORNIA TREES,
...MEANS OF BUCKSKIN
SHEEP SKINS
...STAGE LASHES
WHALEBONE STALKS &c
...From the finest, we offer all the ad-
...ntages in the San Francisco market. A large
...ortment always on hand. ap2dtf2p

...B. CONGLE,

...Front Street, Portland, Oregon

...WARE AND RETAIL DEALER IN

...LERY HARDWARE!

...BRIDLES
...ps and Harness
...Of Every Description.

...dtf

J. C. MORELAND,
...ATTORNEY AT LAW,

...PLES & MORELAND,
...ORNEYS AT LAW.

...OR. FRONT & WASHINGTON STS.
PORTLAND, OREGON

To Rent.

...STORE LATELY OCCUPIED BY J. C.
...DOEPFER & BRO as a Hat Store—
...this office

The Daily Oregonian.

MONDAY MORNING JAN 25 1869

CITY.

Money Market

San Francisco Legal Tender rates ... 3¾ 4
New York Gold Quotations ... 13 8

WILLAMETTE FALLS CANAL AND LOCK COMPANY.—We have received from the Enterprise a copy of a ... published by this body which sets forth ... the objects of the organization. We take from it the following extracts. Mr Samuel J Stevens who has kept the books of the canal companies passing freight ... those mills for several years past and who is therefore ... position of positive knowledge of the subject, says that in the year 1863 there was paid freight ... tons. In the year 1866 forty thousand tons and while we have no right to ... we have estimates from ... and 1868 we have estimates from ... a very certain will attain the business which are probably ... correct, will place the amount for 1867-8 at ... thousand tons. ... for 1868-9 at sixty thousand tons. ... this last named season in addition to the freight ... it is safe to say that at least twenty thousand persons ... will be passed through the locks. The ... for freight on the year excepting when the ... position for ... upon his estimate has been as follows

From Portland to Salem	" Corvallis	$6 00
	" Harrisburg	5 00
	" Eugene City	12 00
		18 00

FROM EUGENE TO PORTLAND

" Harrisburg	$4 00
" Corvallis	10 00
" Salem	12 00
	4 00

...ay 1, on the Yamhill river to Fort ... $5 to 7 00

...the capital stock of this Company has all been sub... and partly paid up, and the Company fully ... by the election of Directors and other ... which will hereafter appear. The object ... is to call the attention of the public ... that object to be carried out by this Co[mpany] ... to invite the co-operation of ... This work will be commenced ... spring as the season will permit, and will be completed, ... next summer and fall. As this work pro... it is probable that bonds will be issued by the ... and an opportunity given to those who may ... to invest in this improvement. The permanent ... of incorporation of the Lion City Clacka[mas] county ... Oregon, where an office will be opened by it ... any whom each operation should desire to ... The principal office of the Company ... the Directors may ... where all ... of the work ... will be ... possible ... Portland.

...ANCOUVER ITEMS.—From the *Register* we clip the following. The Rev F Hass of ... that the second quarter of studies has just been ... written examination ... in all the branches of the liberal courses ... passed in that institution. The school has a most flourishing condition and begs us to call ... to-day under the most favorable auspices. The Common Council of ... at the meeting held last Monday passed an ordinance granting the right of way through the streets of Vancouver to the largest Sound and Columbia River ... Company. An ordinance granting a similar right to the Vancouver Water Company was introduced and twice and referred. We are informed that the inhabitants of Washington have donated to Mr Schaeben ... agent for the P S A C R R thirteen hundred acres of land, on condition that the railroad in that vicinity ... Several people will be ... next year.

...ly a short drill against a ... will march from the ... Deputy ... Bissell came into ... Monday evening ... He reported ... the new city of Utah ... rating at a high figure. The people there are ... enthusiastic ... donating half their land. Mr Schaeben ... out there attending to the interests of the P S & P R Co. The other point of the new city will extend ... miles down the river from Cape Horn. ... The Ladies ... Society of the M E Church of this place will ... an oyster supper ... the Pacific hotel Wednesday ... next—the proceeds ... to be employed for the benefit ... the church. A ball will be given at Ormandy's ... Hall in this place, on Monday evening, the 25th ... are glad to learn that the Vancouver Seminary is in a ... flourishing condition under the ... intendence of Miss Smith. ... liberally patronized in past. ... Belmont is one of the ... patrons of the ... Lewis and Clark ... Cities.

...ON CITY.—We ... these items from the *Enterprise* of Saturday. The following were elected officers ... at the annual meeting ... on Monday evening last ... W. H. Pope Foreman; John Graham, 1st Assistant; Joseph E Myers, 2d Assistant. President, John ... Secretary, A. Bruce; Treasurer, W. T. Hall. ... committee consisting of W. L. White, W. H. Pope and J. M. Frazer was appointed to draft by-laws ... submission to the members on Monday evening. ... Company has a ... fully equipped, twenty-five members ... the above officers. ... Foreman, Wm. Drake, 1st Assistant, ... Swafford; 2d Assistant, Noble Johnson ... William Vandecourt; Treasurer ... have read a very interesting letter from Brother Wm ... Grand Representative of the Odd Fellows of ... to the Grand Lodge of the United States, ... Illinois, on the 28th ult. We regret to ... that Brother B will not be with us when ... and that possibly he may not stay here when ... does, as all the same signs we rejoice to ... that fine metal has struck pay. We have had ... of earthquakes which shook us up some, but did ... We are ourselves once or twice a week ... Capt Pavloff's dancing and flirting with the ...

...FOX AFFAIR.—Complaint was made before M ... Justice of the Peace on Saturday evening ... Mr. Fox of the larceny of twelve ounces of gold ... the value of $200 the property of Thos. Smith ... the custody of last night ... Randall. A warrant was issued ... Officer Curtin appeared ... and J. F. Caplinger for the defendant. A plea ... was entered by defendant and an exam... had. After a few suggestions from attorneys ... the case ... Randall ... the defendant ... bonds, which ... giving ... to appear ... Court. ... Randall ...

...DEATH IN JACKSON COUNTY.—The following ... from a ... Ashland Jackson county ... raging of ... Dr. Lox at Jacksonville ... months that ... has occurred ... by it. ... all other ... only ... and the office to which it ... stop business. There is no course ... to ... will be ... In ... ...

...Mr. Lox ... ...

...ing that a ... public ... ...

...Mr. Lox ... ...

...Mr. Lox ... ...

...Mr. Lox

[illegible] injunction with Fox the prosecution called [illegible] Fox and her brother Dr [illegible]. The former testified that a few days after the robbery was discovered Fox had been summoned to his office and [illegible] that Fox would do as he had agreed to and [illegible] said to him that he [illegible] and his friends would be Fox's friends but that if he [illegible] could not expect any help from him That Goldtrust was not implicated from the mail robbery from the post office was not a crime. That defendant was not guilty and would be cleared That Fox would lie to the trial but it [illegible] a little while as defendant had influence with Senators and would get him pardoned immediately

On the cross-examination this witness when asked if defendant did not say that if Fox would come out and tell the truth about it the defendant and his friends would be Fox's friends answered yes When asked again by the prosecution to state in her own words what defendant said to her in this particular, she replied substantially as at first that if Fox would do as he had agreed or as his friends said he would, etc The examination and cross examination on this point was carried on some time without any change of result; the witness continuing to state on the examination that she did at first and on cross examination to answer yes to the interrogative statement of defendant's counsel

Giltner testified that in the night of November 12 defendant came to his office and said that Fox had confessed and that he had better leave on the steamer for Victoria and from there he could get to the Sandwich Islands That witness had better get Fox out of the way as it would be a disgrace to witness, his brother in law. That witness had better get Fox off on the steamer, and that one going to leave that night at four o'clock Witness declined to follow defendant's advice, saying that he could not afford to pay Fox's bail of $5,000, and that he wanted him to tell the truth about it Defendant then said to witness, that gold dust was not mailable matter and that the case would be taken out of the United States Court, but if this failed then defendant and witness with their influence with Senators Will sumas and Corbett could get Fox pardoned

The defendant proved that neither the *Weybridge* nor Lowe were in this port on November 12, and that at that date no other steamers were running between this port and Victoria, and also that the defendant had maintained a good reputation for honesty in this community, in which he had lived for several years, before this charge was made

On the evening of Thursday, January 7, at the [illegible] of the testimony the defendant offered to read in evidence, for the purpose of impeaching a witness called by the prosecution what purported to be the record of the conviction of one Jacob Giltner of a crime at Danville, Pennsylvania The reading of the paper was objected to, because it lacked the certificate of the presiding judge to the genuineness of the clerk. The Court took the matter under advisement until the next morning, when counsel for the defendant asked leave to withdraw the offer to read the paper which was allowed

This is the case upon which the jury found the defendant guilty, and now the Court is asked to set their verdict aside. If it is contrary to the evidence it ought to be set aside but not otherwise A verdict without evidence or against evidence ought not to be allowed to stand in any courts or cases but a verdict which is warranted by any *fair construction* of the testimony ought not to be set aside, although the Court upon the same evidence would come to a different conclusion

The *U S vs Harris* (2 *Helmon* 281, *Indiana Circuit*), was an indictment under the same statute substantially as this. The defendant being a mail carrier was indicted for embezzling a letter from the mail, kept in his custody containing bank notes. The evidence was wholly circumstantial, but the defendant was found guilty A motion was made to set aside the verdict because it was contrary to evidence, which was denied and the defendant [illegible] two years' imprisonment. In considering the motion *Mr. Justice Holman*, delivering the opinion of Court says

"In reviewing the verdict of a jury regularly given, the verdict must be presumed to be right until the contrary appears, and *it should be sustained by the Court, if the evidence, by any fair construction, will warrant such a finding* A Court is not authorized to set a verdict aside simply because, if they had been on the jury, they would have found a different verdict It is not sufficient that the verdict may possibly be wrong, but that, after giving a proper weight to all the evidence, it cannot be right

"This verdict is given on what is called circumstantial evidence, and the court feel disposed to give due weight to the arguments which have been drawn from reported cases, where parties have been convicted and punished for supposed crimes, which were never committed or committed by others. These arguments show the necessity of extreme caution in convicting on circumstantial evidence, but do not prove that circumstances may not be sufficiently strong to authorize a conviction, or that circumstances are not to be relied on in proof of guilt. If a train of circumstances are not deemed sufficient to produce conviction, the penal laws in relation to many offences, especially those against the postal regulations, would be a dead letter"

This is good law and sound sense, and the circumstances of the case in which it was delivered make it particularly applicable to the case.

A verdict was fairly given. There had been a former trial, so that the defendant was well informed of the nature of the evidence and arguments which would be used against him He has had every facility and aid in making his defence that able counsel, wealth, zealous friends and position could give him or command The jury were strangers to him, and as a whole as intelligent and respectable as I ever saw in this State or elsewhere.

Notwithstanding the proof, it is possible that the defendant is innocent But absolute certainty is not required or attainable in matters depending upon human testimony and judgment. Moral certainty only is what is required in the discharge of a jury. If all the circumstances in the conclusion that either the [illegible] Fox, and this crime singly, or with others, did [illegible] and committed it Fox, the jury having come to either of these conclusions must have found the defendant guilty. They were the judges of what facts were proved and of the proper inference to be drawn from the facts respecting the guilt or innocence of the defendant This court cannot say that in finding those questions they were clearly wrong, or that they acted contrary to the evidence, and therefore it ought not to disturb their verdict. I by I am quarter ed to think that the most reasonable solution from the facts and circumstances proved is that the defendant, either alone or with the assistance of Fox, committed the crime

Consider for a moment the extraordinary and inconsistent conduct of the defendant concerning the package from the time it reached his office until the time of his indictment and arrest By the postoffice regulations he was required to register every registered package envelope that passed his office, and note its condition. If anything unusual was at the package it was made his duty to notify the postal agent of it at once According to the direction of labor in the Portland office the keeping of this register was the business of the defendant. No entry was made of the transit of this package through the office This although a circumstance to be considered, of itself concludes nothing The letter may have failed to register the package from mistake or carelessness, or it may not have reached his hands or come to his knowledge But in any event, when called upon to give information concerning the matter by the postal agent he was required to tell the truth and nothing but the truth, so far as he knew, and the presumption is that an innocent man would

On August 20 defendant said to Brooks that he recollected the package and it passed the office all right

On September 6th That he thought package [illegible] Montana mail robbery

September 16 That he was satisfied that package [illegible] Montana mail robbery, and he could prove it.

October 8 In writing on the circular letter—That the package reached the Portland office on August 1 and left on August 2 nothing unusual was noticed in the [illegible] which was explained to certifying that the package passed in good order

October 9 In a letter to postmaster at Sacramento That he had reason to believe that package No 28 in the Blue Mountain mail robbery in August 2 left Portland office without being detected

November 10, To Thomas Smith—That he remembered something of the envelope going through the Portland office but that it was torn open by the time and he thought contents abstracted

Here are six different statements about this package made by the defendant not casually or inadvertently to strangers of whom he knew nothing but with the utmost deliberation to officers of the post office department and the owner of the stolen letter all of which were as a matter of fact false and involved the falsifications to accounts the matter The certificate and reports upon the specific circular was a deliberate official act in writing done upon the requirement of a superior officer and under the solemn sanction of an official oath

There never was any ground for the defendants refusing or saying that the package was robbed in the Blue mountains On the contrary at the time he made his certificate on the circular and wrote to the postmaster at Sacramento he had positive evidence before him, in the letters from postmasters in the Eastern end of the route and their official certificates on the circular that the package reached Umatilla on Friday, July 10 – two days in advance of the mail that was robbed and near a hundred miles west of the place of the robbery The defendant's efforts to put the agent and the Sacramento postmaster on this false scent betrays a consciousness of something wrong, and a fear of the truth

The package did reach the Portland office on August 3, and of this there can be no doubt so the defendant acting apparently under the influence of the fact, first wrote in his certificate Afterwards he altered the date to August 4 as is apparently to make it possible that the package might have been in the mail that was robbed the certificate should have stated the truth known to the defendant that his official register contained no entry of the package

These contradictions and misstatements and attempts at misleading the officers and persons in trusted are all badges of guilt

But this is not all of the defendant's statements about the package On the former trial J H Koontz the postmaster at Umatilla in August, 1866, testified that in October he had a conversation with defendant upon the subject of registered package envelope 28, when the defendant said "He remembered about the package but had no note of it in his office, and that he thought contents either dropped or taken out at The Dalles"

True this testimony was not given to the jury that found this verdict, because the witness was unable to attend this trial on account of sickness But in a motion to set aside a verdict and grant a new trial it is proper to consider all the testimony that appears to exist in the case.

Then we come to the interlineation and erasure concerning envelope 28 in the record of registered matter in transit, kept by the defendant This was an entry after the fact and therefore suspicious It was not in the book when examined by the Defendant and Brookes on August 20 although it should have been made for nearly a month previous The defendant then and there was no entry in the register concerning the package and agent Brookes looking on over defendant's shoulder, saw none The entry must therefore have been made long after the package arrived at the office and after the enquiry had been set on foot as to what had become of it and who had stolen it The register is an official book and kept for the public and subject to public inspection. The defendant is bound only to make true entries therein and those to be made contemporaneous with the fact to which they relate. He has no right to destroy the book or erase entries once made in it The falsification of records, either by interlineations or erasures, with a reference to a matter, in which the party making such falsification, is suspected or charged or liable to be suspected or charged with neglect or wrong doing, is strong presumptive evidence of guilt This interlineation was a change of the record—an afterthought, as an answer to the suspicions which the defendant must have seen, were pointing toward his office as the place of the theft of the package The erasure was another afterthought so as to make the record comport with the later explanations of the defendant—that the package had been torn open and lost its contents or been robbed of them east of Portland Such a statement would be flatly contradicted by the entry that the package had arrived in good order. Therefore it was erased This of course was in legal effect and office understanding an entry of arrival in *good order*—because the entry said nothing to the contrary That this interlineation and erasure were made by the defendant the jury might fairly presume from the fact of his having the special custody of the book, and it being his special business to make the entries therein But the fact that sufficient remains of the entry, to show that it was in the handwriting of the defendant puts the matter beyond dispute.

It being shown to a moral certainty that the envelope arrived at defendant's office with the package of gold dust, and that the latter was abstracted from the envelope while there, the circumstances of the false and contradicting statements of the defendant concerning the package and the interlineation and erasure of the entry relating to it, were sufficient to authorize the jury to conclude, that the defendant, either alone or with the assistance of Fox, stole the dust

As to the testimony of Mrs Fox and Dr Giltner, I have not taken it into account in the foregoing consideration. The jury within their power of judging of the credibility of a witness and the true import of conversations which are based upon prior conversations or occurrences known to both the witness and defendant, but only incidentally and imperfectly shown to them might have fairly drawn some conclusions from the testimony of the wife [illegible], none of which would tend to show the defendant's innocence, but the contrary For instance, the conversation between defendant and Mrs. Fox points to the probability that already some friends of the defendant had been trying to induce Fox to take upon himself the whole guilt of the crime, and thereby save the defendant harmless In return the defendant by himself and friends was to save Fox from actual punishment, either upon the plea that gold dust was not mailable matter, or by procuring him an immediate pardon The interview between the defendant and Giltner points to the same probability. If the defendant was conscious of his own innocence and of Fox's guilt, the most natural and proper course for him to have pursued was to have complained of him, instead of furtively bargaining for Fox's testimony on his own behalf, upon the promise of procuring the former an immediate pardon—a promise which the defendant had neither the right to make nor the power to perform

It is also proper to consider the fact that the robbery of the mail on August 2, was known to the defendant about the hour that envelope 28 came to his office This may have suggested the feasibility of abstracting the contents of this envelope and escaping detection by attributing the loss to the robbery. In pursuance of this plan, the envelope, when relieved of its contents, would be detained over the next day, August 4, and started for Sacramento on August 5, so as to arrive at the latter place, in point of time, as if it had been in the mail that was robbed in the Blue Mountains The accompanying 'Return registered letter bill' would be detained also, so as to keep company with the registered envelope This was easily done There was no other envelope arrived at Portland in the mail of August 3, directed to Sacramento distributing post office, but No 28 The return bill enclosed in a common envelope and similarly directed would necessarily be the one which related to envelope 28 This would accord with the fact as to when the plundered envelope and return bill arrived at Sacramento The [illegible] time then occupied in making the trip between Portland and Sacramento was 5½ days. The schedule time was six The envelope and letter bill reached Sacramento about 1 o'clock P M of August 10 If the envelope and letter bill had left Portland at six o'clock A M. of August 4 then it would have been 6½ days on the way—more than the schedule time, and a full day more than the usual time But supposing that they left in the mail of the morning of August 5, then the time consumed in the transit would be the usual time at that season of the year It being morally certain that envelope 28 and the return letter bill reached the Portland office in good order, on the afternoon of August 4, and that they reached the Sacramento office, with the contents of the former abstracted on the afternoon of August 10 – after a period of 6½ days – it is a very reasonable conclusion, not only that the envelope was robbed in the Portland office but that it and the letter bill were detained there for that purpose and on that account, from the morning of August 4 to that of August 5

The letter of Fox to Pat Smith to say the least of it is evidence of more or less acquaintance and confidence between the defendant and Fox on this subject It would seem that they had a common interest in, or knowledge of the matter The defendant seems to be watching the action of the grand jury then in session engaged in the investigation of crimes and the accusation of criminals At this time, if defendant was wholly innocent, he must have been satisfied that some one in the office was guilty He retained Fox in his employ—made no complaint against him but communicated to him the private intelligence that the matter was to be taken before the grand jury which the latter in turn hastened to communicate to the receiver of the dust and ask his advice in the premises This sorrel, read by the light of all the other facts in the case leaves that Fox knew of this theft and probably had been used as a tool to dispose of the stolen dust

Besides all these there are other circumstances which tend to support the hypothesis of the defendant's guilt His detention of the circular letter for nearly a month, instead of answering the question propounded and sending it forward at once to Sacramento He was not charged with the investigation of the matter, but was asked a question concerning his own office If he knew nothing about the envelope and there was no mystery to the register concerning it, he should have certified so at once Impliedly his certificate asserts that there was no entry concerning the envelope in his register when there was no, unless the interlined and erased one The letters which the defendant wrote to the postmasters appear to have been written with a design to suggest that envelope 28 was in robbery of August 2 The very fact that defendant stepped out of his sphere to write them at all, tends to show that he had some fear that if the investigation was left to the postal agent it might not result as he the defendant desired it to do

In the motion for a new trial no [illegible] was made to the ruling of the Court refusing to allow Fox's statements out of court, to be given in evidence But in the argument if the statement everywhere we are met with the plea that Fox has confessed the theft and the latter is not guilty The falsity of this must be apparent to every one will inspect closely the matter for a moment It Fox admits the [illegible] in connection to prove the latter's statement when Fox was placed on trial he might show that these admissions were false and were made for the purpose of wrongfully procuring the acquittal of the defendant he might show that he was many miles from the place when the crime was committed and therefore it was physically impossible for him to have committed it Upon the trial of defendant Fox's statements out of court are mere hearsay Besides I might be offered in pursuance of an agreement with the defendant a motion for the purpose of procuring the acquittal of defendant, for a consideration stipulated in the they were both guilty Fox was the best witness as to what he knew and if this failed it wanted it got the jury both and have called him as a witness on the first trial this was done Fox answered all the questions asked him by his counsel except two, which he declined answering on the plea that the answers might criminate himself These questions were Whether any package of gold dust came down in the mail bags from The Dalles about August 1? and Whether he had had any gold dust transactions with Pat Smith? For aught that appeared this might have been a mere pastime engaged in before the jury in pursuance of a previous agreement for the purpose of leading their minds to the conclusion that Fox was guilty and the defendant not. I prevent this, the Court instructed the jury that the defendant was on trial and not Fox, and if Fox declined to answer a question as he might, no inference was to be drawn from the refusal, either for or against the defendant On the second trial the defendant called Cartwright, the district attorney, as a witness, who swore that since the first trial he had promised Fox that if he would tell all he knew about the theft and he should be sent find that he'd tell the truth, he would make him a government witness and he did not but he prosecuted him for this reason the defendant declined to call Fox as a witness on the second trial, and the prosecution being satisfied to submit the case to the jury with but his testimony, he was not examined at all But counsel for the defendant, while acknowledging the correctness of the general rule laid down by the Court on the question of admitting Fox's outside statements to the jury, on Randall's trial, still indirectly complain that they were not permitted to do so even when they declined to call him and let the jury hear his account of the matter, given under the sanction of an oath and in the presence of the defendant Either Fox would tell the truth as a witness or not If he would, then the failure of the defendant to call him gives reasonable ground to presume that his testimony would tend to convict the defendant If however the defendant had reason to believe that Fox could not be trusted to tell the truth on the witness stand, then certainly, and independent of the fact that they are mere hearsay the defendant ought not to ask his admissions or statement made out of court without the sanction of an oath to be received in evidence—admissions made too in pursuance of a promise from the defendant and his friends to save Fox from punishment if he should get convicted himself on account of them

The second ground of the motion for a new trial—that the verdict was against law—was not argued by counsel and needs no particular consideration by the court Indeed, I am not certain as to what question is intended to be raised by it The charge to the jury was in the main oral and time will not permit its being written out now No exception was taken to it by either party and I understood from defendant's counsel that the defence was well satisfied with it The verdict is not against the law given the jury by the court, for under the charge the jury were at liberty to find the defendant guilty or not guilty, according as the facts and the proper inferences from those facts might in their judgment require

The first error of law alleged to have occurred at the trial, was the refusal of the court to allow the defendant a peremptory challenge to Charles Sweigle, juror.

According to the rules and practice of this court established since 1864, by the adoption of section 190 of the Oregon Crim. Code, the defendant was entitled to six peremptory challenges, and no more Before challenging Sweigle the defendant had challenged peremptorily six jurors, which challenges had been allowed. At common law, strictly speaking, a peremptory challenge to a juror was not allowed in any case. But in progress of time a practice grew up to allow them, in favor of life, in capital cases Beyond this peremptory challenges were not allowed at common law

In modern times, in most of the United States, the practice or law has gone to the other extreme so that the number of peremptory challenges allowed a defendant in ordinary cases, enables him to forge a jury that is morally certain to acquit or least to disagree.

By section 30 of the Act of April 30, 1790, (*Bright Dig* 222) peremptory challenges in United States Courts are limited to treason and other criminal cases The laws of the States allowing pleremptory challenges in other cases do not apply, unless made a rule of court (2 *Blatchford C C. R.* 470) The case last referred to arose under section 21 of the Act of March 3, 1825, substantially the same as this. A clerk in the Albany post office was indicted for opening a letter and stealing therefrom The court, *Mr. Justice Nelson* presiding, held that the defendant was not entitled to any peremptory challenges under the laws of the United States, nor under the law of the State of New York, as the latter had not been adopted by the court On March 3, 1865, an act was passed by Congress, "regulating proceedings in criminal cases and for other purposes" (13 *Stat* 500) The second section of this act provides, that in capital cases the defendant shall have but twenty per emptory challenges and the United States five, and also, that "in a trial for any other offence in which the *right of peremptory challenge now exists*, the defendant shall be entitled to ten and the United States to two peremptory challenges"

Heretofore this court has always construed this statute as not extending the right of peremptory challenge to any case not capital on the ground that the *right* could not be said to *exist* when it was not given by law but merely depended upon a rule of court If otherwise, then this act, instead of establishing an uniform rule upon the subject, which appears to have been the object of it, would allow peremptory challenges in this state because there is already a rule of court allowing them here, and exclude them in New York, because there is not such a rule there This provision of the statute is evidently founded upon a misapprehension of the subject and is nugatory The question is a technical one and the decision of it in no way affects the justice of the case

The second error of law alleged to have occurred on the trial, was the refusal to admit in evidence a letter of October 1, 1866 written by J H Koontz, and addressed to the defendant Koontz was postmaster at Umatilla in the early part of August 1866 but his brother J A Koontz was his deputy and performed the duties of the office J H Koontz wrote the letter sometime after he had ceased to be postmaster He was a witness at the former trial, but absent at this on account of sickness

The letter was offered in evidence to show that the defendant when he wrote to the Sacramento postmaster under date of October 9—that he had received letters that envelope 28 was in the mail that was robbed August 2 did have a reason so to believe at that time, even if it was a mistake The right to introduce the letter to show that fact was rested on the ground that the [illegible] letter was enclosed in the letter to the Sacramento postmaster and therefore entitled to be read in part of that admission of the defendant The court ruled that the defendant might read to the jury any letter that was enclosed in the one to the Sacramento postmaster but made the prosecution having read that to the jury the defendant was entitled to read the other as a part of the same statement or admission The court also ruled, that any letter which the defendant sent the Sacramento postmaster with his of October 9 as the ground of his belief therein mentioned, might be read to the jury to show how far the defendant was warranted or justified in expressing the opinion or making the statement to the Sacramento postmaster that he did, but that information or letters not mentioned or dimly seen at the time of making a statement in regard to envelope 28 could not be read by the defendant to the jury.

Taking these rules as a guide in the premises, the Court refused to allow the Koontz letter to be read to the jury, because it did not appear from the testimony, that it was enclosed in the defendants of October 9, addressed to the postmaster at Sacramento This is the only ruling made in the case that upon reflection I am not satisfied with The difficulty was in the facts and not in the law and grew out of the indistinctness of the testimony as to what letters reached Sacramento with the defendant's or in it, and as to how the letters of the defendant's were returned to the Portland office and came into Brooks box Lewis remembered but two letters in the Sacramento post office with the circulars, and this is not one I think though he knew there were others and it might have been included in the open envelope in Brooks box by the defendant, without having been to Sacramento at all Yet I am inclined to think that it would have been safer to have inferred that it was one of the one hundred circulars in the defendant's letter from the fact that it was found in company with it in Brooks box and on the return of the latter to Sacramento But if this were an error in judgment I am satisfied that it worked no possible harm to the defendant's It will not be intended that this letter in any way bears directly upon the question of the defendant's guilt or innocence It was only offered to justify the effect from circumstance from which with others, the jury were asked to infer the defendant's guilt In other words, it was offered to prove that the letter had had good reason or some reason to write the postmaster at Sacramento that he believed envelope 28 was in the mail robbery of August 2 and therefore we are not to infer because the envelope was in the robbery, that he was telling a wilful falsehood for the purpose of putting the department on the wrong scent and keeping the pursuit from himself

But the letter from J H Koontz did not show that envelope 28 was in robbery of August 2, nor [illegible] any reason or ground for the belief [illegible] or thinking so Here is the letter

[illegible] Umatilla Oregon Oct 1st 1866
P [illegible] Portland Dear Sir At the request of the Mail Agent who is now in your city I [illegible] Registering List No 28 cancelled and dated August being Saturday and [illegible] mail on Monday at 9 o'clock that the next mail agent left that were broken open and [illegible] the morning of the 4th of Aug The mail that arrive at this office Saturday lay over until Monday and in the meantime on Sunday evening another mail from East arrives and being two on Monday I was [illegible] that all went down in the one mail but must might have been the case as we were sometimes compelled to put the mails together in one sack and must have left sacks to go on the two routes, namely Walla Walla and Boise City So as I mailed at 4 o'clock P M and left them in August I

Now this letter says that envelope No 28 reached Umatilla Saturday, August 4 and that the mail robbery took place on Sunday August 2 in the Blue Mountains near 100 miles from Umatilla Can any one pretend that this is authority or even a decent excuse for the defendant's writing to the Sacramento postmaster that envelope 28 was in the mail that was robbed in the Blue Mountains of August 2? Certainly not Besides the defendant had in his own statement known before he had any of these letters Again at the time that the defendant wrote this letter to the postmaster at Sacramento he had the official statements to all the postmasters on the route before him, on the circular letter. These all concurred in stating that envelope 28 was two days ahead of the mail that was robbed, and that it left The Dalles for Portland in good order on the morning of August 3 This Koontz letter is a mistake in regard to envelope 28 not leaving Umatilla until August 3 It left on Saturday morning August 1, and went to the Dalles by land On the last trial Koontz explained it in his testimony The mail leaves Umatilla six times a week for The Dalles—Mondays Wednesdays and Fridays by water, and Tuesdays, Thursdays and Saturdays, by land It comes up on opposite days For instance, the last mail comes to Umatilla from The Dalles on Friday evening, and returns on Saturday morning, but not until the eastern stage comes in—which often comes in in the night The mail is made up for The Dalles next morning, and a letter that came from La Grande on Friday morning, July 31, would be entered on the register as of Saturday August 1, and go in the Dalles the same day This was the fact in regard to envelope 28 J H. Koontz was the postmaster, but his brother attended to the business, and when he wrote this letter, sometime after he went out of office, he saw envelope 28 was registered on Saturday, August 1, and he inferred that it came on the evening of that day and as there was no mail carried on Sunday, he rightly concluded from these premises that it left for the Dalles on Monday August 3, in same mail with pebbled packages, but he was mistaken in his premises But be this as it may, the letter so far from countenancing the opinion that envelope 28 was in mail robbed in the Blue Mountains on August 2, shows directly the contrary—that the envelope was in Umatilla on August 1, from 12 to 24 hours at least ahead of that mail

The motion for a new trial is overruled

As to the motion in arrest of judgment, a statement of the statutes in regard to the matter and a few comments will dispose of it Section 12 of Act of July 1, 1864 (13 Stat. 337) re-enacting section 21 of act of March 3, 1825 provides

"If any person employed in any department of the post office establishment, etc, shall secrete, embezzle or destroy any letter, packet, etc, with which he or she shall be intrusted or which shall have come to his or her possession and intended to be conveyed by post, etc., such letter, packet, etc containing any note, bond draft, check [illegible] or other article of value, etc, or if any such person, etc, shall steal or take any of the same out of any letter or packet, etc, such person shall on conviction for any such offence be imprisoned not less than ten years nor exceeding twenty-one years, etc."

Tried by this definition, the act committed by the defendant was a crime. The defendant was a person employed in the post office Envelope 28 came into his possession, and was intended to be conveyed by post It contained an article of value—12½ ounces of gold dust—and the defendant by the verdict of the jury is found to have taken the same out of such envelope or letter therein Even if the statutes defining mailable matter do not include gold dust in that category, still the taking or stealing it from a letter in the mail by a person employed in the post office would be a flat violation of the section just read, and a crime It does not follow that because an article is not enumerated as mailable matter, that therefor it can be stolen from the mails by those interested with their conduct and transportation, with impunity As argued by counsel for defendant, a postmaster might object to being responsible for articles not permitted to be carried in the mails but no one should just that he is prohibited from stealing from the mails, whether the article be rightfully there or not

Section 16 of the act of March 3 1863 (12 *Stat* 704) provides

"No postmaster shall receive to be conveyed by the mail any packet or package which shall weigh more than four pounds except books published and circulated by order of Congress"

The reasonable inference from this section is that the mailability of matter depends upon its weight and not its kind or quality To the same effect is section 23 of the same act, which reads in part "All matter not enumerated as mailable matter and to which no specific rates of postage are assigned and which *of all nevertheless be mailed*, the rate, if *the same shall be prescribed*, is established at the rate of letter postages"

Section 156 of the Post office regulations prescribes

"*Money and other articles* sent by mail are at the risk of the owner, but in case of loss the department will endeavor to discover the cause and where there has been a theft to punish the offender"

These instructions being promulgated by the Postmaster General, under authority of an act of Congress, have the force of law. Section 32 of act of March 3, 1863, authorized the Postmaster General to establish a uniform plan for the registration of valuable letters Under this system, envelope 28 was being carried, through the mails when broken open.

In the *United States vs Marcellus* (2 *Blatchford C C R* 199) on a special verdict, judgment in question was given against the defendant for taking two letters containing each a 25 cent piece in silver The case was argued before *Justices Nelson and Betts* and no question seemed to be made that it was not a crime to steal coin from the mails, because it was not mailable matter This judgment was given in 1849 while the post office act of 1845 which the defendant relies on was in force There is no statute of the United States which provides specifically that coin is mailable matter, any more than is gold dust Yet I apprehend that a package of either of them not weighing over four pounds and prepaid at letter postage rates is mailable matter and whether these be so or not, there can be no doubt but that it is a crime by an act of the United States to take or steal them from the mails

I conclude after a long and careful examination of the case, I can find no sure ground upon which question the legality or sufficiency of this verdict or to arrest or delay the judgment of conviction which the law declares shall be given against the defendant in consequence of it

BRADY J

SENTENCE.

Thereupon the District Attorney moved for judgment, and the Court asked the defendant if he had anything to say why sentence should not be pronounced upon him The defendant rose and said

Your Honor I am innocent of this crime as I cross this room in heaven What is the motive for this prosecution or persecution I cannot understand I feel certain that time will reveal my innocence and bring those who are now persecuting me to justice

The Court then pronounced sentence as follows

You have been indicted in the grand jury of the District for the violation of an important trust in the commission of a grave and serious crime After a fair trial in which you had the aid of able counsel and devoted counsel, and the sympathy and prayers of many warm friends you have been found guilty as charged by an intelligent and intelligent jury of your country

Prisoner at the bar, you will attend to the sentence which the law pronounces upon you for the crime of which you have been convicted

You will please stand up

It is ordered by the Court that you be confined in the penitentiary of this State at hard labor for a period not less than ten nor more than twenty one years

In consideration of the circumstances just enumerated particularly the recommendation of the jury and your past good reputation the Court has decided to fix your imprisonment at the term of two one years at least the sentence you to be imprisoned at hard labor for the term of twelve years from this time

And as the legislature of this State has not yet provided for the admission of United States convicts into the state Penitentiary, it is ordered that this sentence be executed in the jail of Multnomah county so far as the discipline of such prison will permit until the further order of this court, or it is otherwise by law provided

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Notwithstanding the above affidavit the said P. Sainsevain is putting up a compound under the name of Sainsevain's California Wine Bitters, representing it in the same as our celebrated Bitters which we have been manufacturing and selling in immense quantities since 1860 and also affixing a nearly similar label to that used on our genuine Wine Bitters BE NOT DECEIVED! Send for

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Portland June 4 1866 WELLS FARGO & CO
jeddtf

JOHN R. FOSTER & CO.,

Forwarding & Commission Merchants

UMATILLA, OREGON.

IN CONNECTION WITH THE STOCK OF MESSRS FRANKENTHAL & HAAS having taken their FIRE-PROOF STONE WAREHOUSE,

We are now prepared to receive consignments of Goods to be Forwarded to all points of the Mines in Oregon, Idaho and Owyhee All matters connected with the Forwarding and Commission Business promptly attended to.

Consignments of Goods solicited Mark Goods Care of J R F Umatilla

A FULL STOCK OF

Clothing, Groceries and Provisions,

MECHANICS' MINERS' AND BLACKSMITHS' TOOLS

IRON AND STEEL,

always on hand, and will be sold LOW FOR CASH
my5dtf JOHN R FOSTER & CO

JOHN HAILEY'S

PIONEER LINE OF

Concord Coaches!

CARRYING THE U S MAILS and

WELLS, FARGO & CO'S EXPRESS.

We are now prepared to Book Passengers Direct to

Shasta City, Willow Creek Mines!

THROUGH TO SHASTA IN THREE DAYS!

FARE FROM UMATILLA $32 00

LEAVES UMATILLA EVERY MORNING AT 3 o'clock for Willow Creek Mines, Boise City and all intermediate points. JOHN HAILEY, Proprietor,
Jan 1, 1866 R H CARDWELL, Agent.
jl4tf

United States Mails.

OREGON.

POST OFFICE DEPARTMENT
WASHINGTON, Nov. 28, 1866.

PROPOSALS FOR CONVEYING THE MAILS OF THE UNITED STATES from July 1 1869, to June 30 1870, on the following Routes in the State of Oregon, will be received at the Contract Office of this Department until 2 P M of February 20 next, to be decided by March 5 following

No		
15142	From Fairfield, (n o) by Saint Louis, Waconda, Parkersville, Monitor, and Needy, to Oregon City, 50 miles and back, once a week	
	Leave Fairfield Tuesday at 7 a m	
	Arrive at Oregon City by 6 p m	
	Leave Oregon City Wednesday at 7 a m	
	Arrive at Fairfield by 6 p m	
15143	From Astoria, by Clatsop, Skipanon House, (n o) Elk Creek (n o) Nehalem (n o) Miami Point, (n o) Chilicko Point, (n o